

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

STAMBAUGH’S AIR SERVICE, INC.	:	
	:	
Plaintiff,	:	
	:	
vs.	:	No. 1:CV-00-0660
	:	
SUSQUEHANNA AREA REGIONAL	:	
AIRPORT AUTHORITY; BAA	:	
HARRISBURG, INC.; DAVID FLEET,	:	
individually; DAVID HOLDSWORTH,	:	Electronically Filed
individually; and DAVID C.	:	
MCINTOSH, individually	:	
	:	
Defendants.	:	JURY TRIAL DEMANDED

**STATUS REPORT**

This will update our previous the status report regarding the above-referenced matter. As noted previously, the undersigned is not representing Stambaugh’s Air Service, Inc. (“Stambaugh’s”) in its bankruptcy proceeding. Therefore, in order to determine the status of that matter, we have kept in contact with Stambaugh’s bankruptcy counsel, Robert E. Chernicoff, Esquire, and have reviewed the docket in that proceeding.

As noted previously, on January 6, 2004, Stambaugh's filed a Plan of Reorganization under Chapter 11 of the Bankruptcy Code along with a Disclosure Statement and a Motion To Approve Disclosure Statement And Voting Procedures, And To Fix Time For Confirmation Hearing And For Filing Acceptances Or Rejections Of Plan And To Fix Time For And Require The Filing Of Proofs Of Claim. The docket reveals that, on March 9, 2004, Stambaugh's filed an Amended Plan of Reorganization. On April 12, 2004, Stambaugh's filed a Report of the Tally of Votes for the Acceptance or Rejection of the Joint Plan of Reorganization Proposed by the Debtors Together with a Motion for Confirmation of the Joint Plan of Reorganization. On April 13, 2004, Stambaugh's file an Amended Plan of Reorganization. On April 16, 2004, the Bankruptcy Court issued an Order confirming the Amended Plan.

On May 2, 2005, the United States Trustee filed a Motion to Convert or Dismiss the case. Stambaugh filed a Motion for Final Decree on May 25, 2005. On June 1, 2005, the United States Trustee withdrew its Motion to Convert or Dismiss the case and that withdrawal was approved on June 3, 2005. On June 9, 2005, the Bankruptcy Court issued an Order Granting the Motion For Final Decree. On June 13, 2005, Stambaugh filed a Certificate of Mailing as required by the June 9 Order.

I have been advised by Mr. Chernicoff that there is no stay of this action by virtue of Stambaugh's bankruptcy proceeding. I have also been advised that Stambaugh is in the process of securing new counsel. I anticipate our Firm's withdrawal and the substitution by other counsel will occur prior to the next status report.

As per the instructions in Deputy Clerk Cihak's letter, this report will be supplemented within 30 days.

Respectfully submitted,

/s/ Thomas B. Schmidt, III

Thomas B. Schmidt, III (PA 19196)

PEPPER HAMILTON LLP

200 One Keystone Plaza

North Front and Market Streets

Post Office Box 1181

Harrisburg, PA 17108-1181

(717) 255-1164

(717) 238-0575 (Fax)

*[schmidt@pepperlaw.com](mailto:schmidt@pepperlaw.com)*

Date: August 10, 2005

Attorneys for Plaintiff

## **CERTIFICATE OF SERVICE**

I hereby certify that on August 10, 2005, a true and correct copy of the foregoing Status Report was served upon the following:

*U.S. Mail, first class postage prepaid*  
Robert E. Chernicoff  
Cunningham & Chernicoff, P.C.  
P.O. Box 60457  
Harrisburg, PA 17106-0457

*ECF System*  
Dean F. Peirmattei, Esquire  
Rhoads & Sinon LLP  
One South Market Square  
Post Office Box 1146  
Harrisburg, PA 17108  
*dpiermattei@rhoads-sinon.com*

/s/ Thomas B. Schmidt, III  
Thomas B. Schmidt, III (PA 19196)